



MCGEARY CUKOR
INTELLECTUAL PROPERTY LAW

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March 18, 2025

Hon. Cathy L. Waldor
Martin Luther King Jr. Courthouse
50 Walnut Street
Room 4040, Courtroom 4C
Newark, New Jersey 07101

RE: Vision Industries Group, Inc. v. ACU Plasmold, Inc.
Case No.: 2:18-cv-06296-ES-CLW

Dear Judge Waldor:

We represent Plaintiff Vision Industries Group, Inc. ("Vision") in the above captioned matter and write in response to Defendant, ACU Plasmold, Inc.'s ("ACU") March 18 letter to the Court. DE 298.

We are not sure why ACU thought it was appropriate to write to the Court as the parties were close to a final version of the joint statement of the case. There was no meet and confer before ACU filed its letter, there was no request for a meet and confer, and, at the time ACU filed its letter, it seemed like the parties only dispute about the joint statement was a few additional paragraphs proposed by ACU.

The attached email chain between counsel shows that ACU's representations to the Court were not true. Contrary to ACU's report to the Court regarding the joint statement of the case, Vision specifically consented to ACU's request to add a fact paragraph and suggested that ACU move the remaining disputed facts to ACU's section of the document. Vision also proposed summarizing the factual dispute in the case as follows:

I do think we should still summarize the facts. Perhaps a version [of] what you suggested "Vision contends it placed orders that were not filled by ACU. Defendant contends that it declined the two orders for good reasons which were explained to Vision."

Exhibit 1

Nothing in Vision's suggestion was "outright false" as alleged by ACU to the Court. Vision's proposal was literally ACU's own words from its counsel's email. Id.

Vision believes the parties can resolve the remaining disputes about the joint statement of the case before it is due to the Court on March 31, 2025.

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Respectfully,

A handwritten signature in black ink, appearing to read "Michael Cukor". The signature is fluid and cursive, with a small mark at the end.

Michael Cukor

cc: Counsel of record via ECF